

Board Meeting

Petaluma Valley Groundwater Sustainability Agency

Meeting Minutes

April 22, 2021 | 4:00 p.m.

Location: Zoom

<http://www.petalumavalleygroundwater.org>

Agenda

1. Call to Order and Roll Call

Director Abelli-Amen called the meeting to order at 4:02 p.m. and roll call was conducted by Ann DuBay, Administrator. **Director Gorin**, **Director Bruce Abelli-Amen**, and **Director Mike Healy** were present. **Director Wasem** arrived 4:25pm. **Director Rabbit** attended by phone at 4:30 to vote on Item 5B. Also, in attendance were: Jay Jasperse, Plan Manager; Marcus Trotta, Technical staff; Simone Peters, Administrative Aide (recording meeting minutes); Scott Morris, Legal Counsel; Kent Carothers, City of Petaluma; Katherine Yates, Member of Public; and Ben (last name not provided), member of public.

Director Gorin mentioned she wouldn't be at the May Petaluma and Sonoma Valley Board meetings.

2. Consent Calendar

- a. **Approve Meeting Minutes of March 25, 2021**
- b. **Approve Year-to-Date Financial Report**
- c. **Approve Year-to-Date Member Agency Contributions**

No public comment.

Director Gorin moved to approve the Consent Calendar as presented, **Director Healy** seconded. Motion passed unanimously **3-0-0**. (**Directors Rabbitt** and **Wasem** were absent).

Roll call Vote:

Director Gorin – aye

Director Healy – aye

Director Abelli-Amen – aye

3. Directors/Subcommittee Report

- a. Rural Community Engagement

Ann DuBay reported that the Rural Community Outreach group hadn't met since the last Board meeting. The focus groups have received the discussion guide and focus group discussions will begin next week.

No public comment.

4. Advisory Committee Report

Ann DuBay reported that the Advisory Committee met in April and discussed the Sustainable Management Criteria for Depletion of Interconnected Surface Water. The committee provided helpful feedback to staff and recommended an Undesirable Results option. They also discussed and provided feedback on Projects and Management Actions. The Groundwater Sustainability Plan Section 3 should be released by the end of next week for review, followed closely by Sections 4 and 5. An email with link will be sent out. May will be a very busy month.

No public comment.

5. Action Items

a. Groundwater Sustainability Plan:

- i. **Draft Sustainable Management Criteria – Interconnected Surface Water:**
Provide feedback to staff and take possible action on proposed draft Sustainable Management Criteria for Interconnected Surface Water

The Groundwater Sustainability Plan (GSP) is due January 31, 2022. As part of the GSP, Sustainable Management Criteria (SMC) must be developed for six sustainability indicators as defined by the Sustainable Groundwater Management Act. Jay Jasperse presented the schedule and said there are no notable changes at this time. Sections 4 and 5 will be released together in May; much focus is currently on Sections 6 and 7. The Community meeting will take place on May 26.

Jasperse said staff was seeking possible approval of the draft Sustainable Management Criteria for Depletion of Interconnected Surface Water and would be updating the Board on Projects and Management Actions but no action was needed for that item. He said this the Depletion of Interconnected Surface Water is a particularly challenging and complex SMC and adaptive management is necessary. Key challenges include lack of data, technical complexities, and surface water rights. A practitioner workgroup made up of experts and representatives from agencies looked at this SMC from different angles to help us.

SGMA requires the identification of interconnected surface waters, and of Groundwater Dependent Eco Systems.

Marcus Trotta covered the technical approach for this in terms of the SMC Minimum Thresholds and Measurable Objectives and the proposed Undesirable Results options that staff is proposing. He provided the suggested Significant and Unreasonable Statement:

“Significant and unreasonable depletion of surface water from interconnected streams occurs when surface water depletion, caused by groundwater pumping with the Subbasin, exceeds historical depletion or adversely impacts the viability of groundwater dependent ecosystem (GDEs) or other beneficial users of surface water.”

Board Questions/Comments

Director Abelli-Amen – If it is disconnected before 2015 because of past pumping, it doesn't matter to us?

Trotta – Part of what we are doing is mapping and using the groundwater model initially. And so, it's not so much whether the streams were connected or not before that time. It's going to be hard to determine without the actual hard data we have but we'll be looking at that information to best characterize those conditions. It will be hard to determine whether undesirable results occurred in the past, based on just the model.

Director Abelli-Amen – So we are basically looking forward and not trying to fix past transgressions?

Trotta – Yes.

Director Healy – Does SGMA distinguish between freshwater streams and saline tidal slews?

Trotta – Not directly. Because it is interconnected surface water and not just tidal streams, it could be included in this SMC. We are including interconnected reaches of the Petaluma River in our initial mapping.

Director Healy – Petaluma River is tidally influenced into the north end of town.

Trotta – This SMC is focused on potential impacts, the beneficial uses, and users.

Director Abelli-Amen – How did you develop the map?

Trotta – The Nature Conservancy has developed a statewide map of groundwater dependent ecosystems using information on rooting depths of plants. We used the statewide map as a starting map and used local mapping to improve it relying on Sonoma County Vegetation mapping that has more detailed and local information in it to identify riparian areas, freshwater marshes, and aquatic habitats that are located in areas where we have shallow groundwater. We used our groundwater level maps to identify the areas and interconnected stream mapping. We also worked with the workgroup to identify aquatic species and streams that are considered priority species in all three basins. Steelhead were found to be the best indicator for that. Most of the streams shown here are the ones that support steelhead habitat.

Director Healy – Is this segment of E. Washington Creek dry during the summer months or does it have water all the time?

Trotta – I believe this segment has water all the time.

Director Abelli-Amen – It is convincing that you have hydraulic reach there. It seems it would be difficult to characterize and preserve that.

Trotta – That is why the plan for this SMC is to get better information.

Director Abelli-Amen – Is there a possibility to say if you a few years of data that cover various conditions, this is a naturally disconnected system and we are not going to include it in our monitoring and we will consider it a disconnected reach?

Trotta – That will be something we will be evaluating as we collect longer periods of monitoring data and better information. I think it will be one of our main our main tasks early on, to better evaluate which segments are likely interconnected and which ones are not.

Director Wasem – I notice Rick Rogers' name on the technical committee. Has the National Marine Fisheries' Service (NMFS) prioritized the streams for steelhead?

Trotta – We had biologists from Sonoma Water that have lots of experience with steelhead to identify streams.

Jasperse – I think CA Fish and Wildlife is also involved in the agreement.

Director Wasem – OK, because I know NMFS is working on a safe harbor agreement for Ag for water releases, so they were going to identify key tributaries. I thought that would be valuable and great to share with everybody.

Director Healy – How would there be effects on surface water depletion in a tidally influenced area?

Trotta – That is something we would continue to evaluate. I agree that any tidal fluctuations could possibly mask surface water depletion. It is something we will need to further characterize.

Director Abelli -Amen – Who would be the other beneficial users other than the groundwater dependent ecosystem?

Trotta – In streams where you have surface water rights users that are downstream of areas that may be influenced by upstream surface water depletion, that could be a beneficial user that's impacted.

Director Abelli -Amen – To **Director Healy's** point, I don't think there are any of those along the Petaluma River because it is brackish.

Marcus Trotta continued his presentation covering the methodology and Undesirable Results options. Proposed options include:

- 1) Single exceedance
- 2) Two exceedances
- 3) Two exceedances during dry years or one exceedance during normal and wet years

Director Healy – Are we only concerned with things caused by pumping?

Trotta – In the Undesirable Results, we have a proposed methodology to work with the State Board to develop a coordination process. We would compare our information on groundwater pumping in the basin with the State Board's information to try to identify what component of depletion is caused by groundwater pumping versus other activities.

Director Healy – When you say exceedance, that is a one-foot drop of the groundwater, right?

Trotta – Correct, it would be compared with the 2020 conditions.

Director Healy – With the five different criteria do we have to start implementing corrective measures if any of those are breached?

Trotta – One important thing to keep in mind is that SGMA is meant to be adaptive and we have 20 years before the undesirable results would need to be corrected. All five criteria would need to be addressed to comply with SGMA. In our view, in the early stages, we wouldn't be doing corrective measures before getting better data.

Director Healy – I am glad to hear that.

Director Wasem – In terms of protecting ecosystems and the interaction between surface and groundwater, are there going to be maps that would indicate where you think there is interaction, or are you just displaying every well in the basin that you think could affect surface water.

Trotta – It is part of the maps we will be doing. This SMC will be focused on areas identified as having interconnected surface water. Undesirable Results would likely only be happening in areas where we have interconnected reaches and there are beneficial uses or users.

Director Abelli-Amen – There are two other temporal challenges.

Trotta – Yes, it is an extra challenge for this SMC.

Director Abelli-Amen – When looking at data on a hydrograph and you see it goes below the 2020 average for one day, is that considered an exceedance or is there some magnitude of duration associated with that that would need to be met as well?

Trotta – We are proposing a monthly average.

Director Abelli-Amen – When we look at two exceedances in Options 2 and 3, those are two of the three wells?

Trotta – Correct. It would be the exceedances per well, and it would be monthly averages of those measurements that we're collecting.

Director Healy – Are there plans to put in additional wells in the future, possibly outside of the tidal influenced area?

Trotta – Yes, three will be put in later this year.

Director Healy – Saying two out of three wells is one thing, saying two out of six wells is a, stricter criteria. Do we want to say exceedances in two-thirds of the wells or something like that to accommodate the growth of the number of monitoring sites?

Trotta – In the other basins we used a percentage.

Director Healy – That would make sense.

Director Abelli-Amen – What did the other basins select? I wonder if we shouldn't be consistent across the basins but that would be one out of three instead of two out of three.

Director Healy – That is more stringent than what we have here.

Director Wasem – I wouldn't be comfortable with that.

Trotta – The Santa Rosa Plain Board selected 33%, the option that had a lower percentage during normal wet years compared to dry years.

Ann DuBay (chat) – In Sonoma Valley, the Board hasn't voted yet.

Director Abelli-Amen – I wonder if we could straw poll our Board and check which option they are comfortable with. It looks like the Advisory Committee strongly favored Option #3.

Trotta – We would be revisiting the number of exceedances as we install new wells.

Director Abelli-Amen – So we could change the percentages in the future when we have more data.

Trotta – Correct.

Director Healy – I agree with the Advisory Committee/Option #3 but wonder if it shouldn't be converted to a percentage.

Director Wasem – I would like to hear more about what the percentages look like.

Director Abelli-Amen – If we can change it in future, it doesn't seem critical to nail something down now.

Director Wasem – I agree, if it can be changed, it is OK to wait.

Director Gorin – I am fine with the discussion.

Director Abelli-Amen said that it sounds like there is consensus by the Board on Option #3, and he asked for a motion.

No public comment.

Director Healy moved to approve Option #3, **Director Gorin** seconded. Motion passed unanimously. **4-0-0. Director Rabbitt** absent.

Roll call Vote:

Director Gorin - aye

Director Wasem – aye

Director Healy – aye

Director Abelli-Amen – aye

Marcus Trotta continued with an overview of Projects and Management actions including next steps:

1. Develop process for simulating/evaluating conceptual projects with computer model
2. Simulate conceptual projects using baseline 50-year projected water budget
3. Identify and prioritize conceptual projects and management actions for inclusion in the GSP

Questions/Comments

Director Abelli-Amen – Since we get so much water from the Russian River, is there any plan to reduce deliveries that could risk less water for Petaluma Valley?

Jasperse – No, there is not going to be a reduction, at least not in our planning.

Director Healy – Just to clarify, most of the sites identified within the city for future purple pipe would be offsetting potable water use from Sonoma Water rather than well water?

Trotta – Yes, primarily, although the estimated future projections that the city's provided have a range of potential future groundwater use, that's incorporated in our projections, and so we would reduce municipal pumping by some factor to account for those.

Director Abelli-Amen – Are we expected to need any Projects/Management Actions in this basin?

Trotta – This basin is in good shape, but it is the Sustainable Management Criteria that will drive projects. It is fair to say there will not be an immediate need for large scale projects in this basin.

b. Fiscal Year 2021-22 Member Agency Contributions:

- i. Consider approval of FY 2021-22 Member Agency Contributions

Ann DuBay said Member Agency contributions reflect the 2018 agreement. At this meeting the Board is requested to consider approval of FY 2021-22 Member Agency contributions.

No public comment.

Director Healy moved to approve the fiscal year 2021-22 Member Agency Contributions as presented, **Director Wasem** seconded. Motion passed unanimously **5-0-0**.

Roll call Vote:

Director Gorin - aye

Director Wasem – aye

Director Healy – aye

Director Abelli-Amen – aye

Director Rabbitt – aye

c. Rate and Fee Study:

- i. Update on proposed study of financing options for the Groundwater Sustainability Agency, and possible appointment of Board liaison

A new Rate and Fee study is recommended for the following reasons:

- The member agency contribution commitment ends on June 30, 2022, and the GSA does not have an alternative funding source;
- An original fee study was based on a five-year budget that included development and submission of the GSP. A budget based on the first five years of GSP implementation could be significantly different;
- A fee study is legally required if the Board opts to fund GSP implementation with a property-based fee, as described by Proposition 218 and subsequent court cases; and
- A fee study will describe and recommend the legal and financial options available to the GSA.

During a first fee study, a working group was created that included a representative from each GSA Board. The working group provided helpful feedback to staff and consultants on funding options, stakeholder concerns and data development.

Ann DuBay said that a Request for Quotation (RFQ) went out last week. The idea is to engage a consultant later this year with an ad hoc committee comprised of members from each of the agencies, that could participate in interviews. The Groundwater Sustainability Agency will no longer have funding sources starting in July 2022. In this current fiscal year, we have a budget placeholder of \$40,000 and in the next fiscal year budget a placeholder of \$50,000 for the Rate and Fee study. We haven't done anything on it this fiscal year, so we have that \$40,000 remaining in the budget, and potentially with Board approval, we could carry that forward into the next fiscal year if it would be needed for a Rate and Fee study.

Staff recommends the Board consider authorizing the Chair to appoint a Board liaison to assist in the consultant selection and to provide feedback to staff and the consultant throughout the fee process.

Director Healy – I think an elected person should be appointed; I am willing to do it.

No public comment.

Director Healy made a motion to authorize **Chair Rabbitt** to appoint the representative, **Director Gorin** seconded. Motion passed unanimously **4-0-0**. **Director Rabbitt** absent.

Roll call Vote:

Director Gorin - aye

Director Wasem – aye

Director Healy – aye

Director Abelli-Amen – aye

d. Contract amendment with Sonoma Water:

- i. Amend contract to reflect Proposition 68 grant tasks and income, and increased grant administration costs

The Sonoma County Water Agency (Sonoma Water) would continue to provide (1) technical services for GSP development, financing options study, and other optional technical tasks; (2) outreach and communication activities for the GSA in general and for the Groundwater Sustainability Plan (GSP); and (3) management of the Proposition 1 grant and future grants, monitoring grant opportunities, and developing grant applications. The contract would add \$1,000,000 for execution of projects funded through Proposition 68 grant and \$50,000 for increased costs of grant administration due to the Proposition 68 grant.

Staff requests the Board authorize the Administrator to execute the proposed contract amendment with Sonoma Water, following Legal Counsel review.

Board Questions/Comments

Director Abelli-Amen – Is there a budget item to cover the part of that \$50,000 that is not brand reversible?

DuBay – Yes, the budget includes the additional amount for grant administration and includes the \$1 million grant reimbursible.

Director Healy – Are we still getting the Friends and Family hourly rates?

DuBay – Yes, you are, and in fact it's gotten even better. The agreement, as you know, was for the rate that we could be reimbursed by DWR, and the Prop 68 grant changed that rate to not include an amount that we had always included, and so we've dropped the rates to reflect that.

No public comment.

Director Healy moved to approve the proposed contract amendment with Sonoma Water as presented, following Legal Counsel review, **Director Gorin** seconded. Motion passed unanimously **4-0-0**. **Director Rabbitt** was absent.

Roll call Vote:

Director Gorin - aye

Director Wasem – aye

Director Healy – aye
Director Abelli-Amen – aye

6. Information Items

- a. **Urban Water Management Plan:** Sonoma Water staff will give a short update on its 2020 Urban Water Management Plan and 2021 water conditions

Jay Jasperse gave a presentation on the 2020 Urban Water Management Plan. It will be going to Sonoma Water’s Board of Directors on May 11 for a hearing, and then after that, hopefully Board adoption of the plan and submitting it by the statutory deadline of June 30.

Jasperse then provided an update on the current drought.

Board Questions/Comments

Director Gorin – I know in our restructured agreement, there is a formula in case we experience drought. In the Urban Water Management plan, does it refer to drought and how we work with the jurisdictions on water allocations?

Jasperse – It does, it is coordinated, and refers to Section 3.5 of the restructured agreement which lays out provisions on water shortages.

No public comment.

7. Legal Counsel, Plan Manager and Administrative Report

The Plan Manager/Administrative report is in the packet. No report from Legal Counsel.

8. Public comment on matters not listed on the agenda but within the subject matter jurisdiction of the Board

Katherine Yates, Member of Public – I understand there is a project to put monitors on rural wells. This would seem more important during droughts. I don’t know who is in charge, but what is the status?

Trotta – In terms of rural residential outreach, there is no current plan for requiring monitoring of rural wells in the basin. For rural residential wells, SGMA has some limitations on what the GSA can require. We are unable to monitor de-minimis water users (residential users that use less than two acre-feet of water per year). We have done outreach related to that. Interested well owners are encouraged to contact the GSA and we can put them in touch with the Resource Conservation District if there's interest in having groundwater levels monitored.

9. Adjournment

Director Abelli-Amen thanked everyone for attending. The meeting adjourned at 6.01 p.m.